

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
August 15, 2011**

CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on August 15, 2011, at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the flag.

ROLL CALL

The following members were present: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart.

APPROVAL OF AGENDA

MOTION: by Councilmember Withhart, seconded by Councilmember Huffman to approve the August 15, 2011 agenda as amended.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Mayor Martin:

Wednesday, August 17, 2011, will be the last of the Concert in the Commons series this summer. Performing will be the "R Factor."

Friday evening, August 19, 2011, Friday Night Flix will be showing *Hotel for Dogs*, beginning at 8:00 p.m.

Councilmember Huffman:

CTV is having an Open House for the public at their new studios on Saturday, August 20, 2011, in Roseville. More information is available on the CTV website.

Councilmember Withhart:

Noted that if it rains Friday evening, the movie will be indoors.

Reminder for residents to take advantage of the Farmers' Market on Tuesdays at the Community Center.

Councilmember Wickstrom:

Thank you to staff for efforts to clean up the boardwalk on County Road I.

CONSENT AGENDA

The Finance Director's monthly report and the Community Development report were pulled for discussion.

Mayor Martin noted that in the State Auditor's report, prepared annually, there is good information on tax capacity and spending. It is remarkable that with the quality of life in Shoreview, spending per capita is 24% below the average for cities of similar size. Mr. Schwerm stated that the report will be posted on the City's website in the near future, as the City moves through the budget process.

Councilmember Wickstrom noticed that Bill Fessler and Marlin Rudebusch have resigned from the Economic Development Authority (EDA) and the Economic Development Commission (EDC). She asked about new appointments.

Councilmember Huffman reported that the EDA discussed the vacancies. There is a notice to EDC members for anyone who may be interested in applying. The EDA will also propose possible changes to the bylaws to be able to recruit members from the community at large.

Mr. Schwerm stated that if there is an application within the last year for the EDC, that application will be forwarded to the EDC for consideration. Otherwise, the positions will typically be advertised at the end of the year.

MOTION: by Councilmember Quigley, seconded by Councilmember Huffman to adopt the consent agenda of August 15, 2011, approving the necessary motions and resolutions for item Nos. 1 through 7.

1. August 1, 2011 City Council Meeting Minutes
2. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
3. Verified Claims in the Amount of \$1,181,033.85
4. Purchases
5. Approve Plans and Specifications and Authorize Ad for Bid - Sewer Lift Station, CP10-02
6. Developer Escrow Reduction
7. Resolution 11.51 Receive Assessment Roll and Order Public Hearing for Hawes/Demar/Rustic Reconstruction Project

VOTE: Ayes - 5 Nays - 0

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

TEXT AMENDMENT - CITY OF SHOREVIEW, DYNAMIC SIGNS

Presentation by City Planner Kathleen Nordine

Proposed is an amendment to the City's Sign Code that would allow off-premise advertising with dynamic signs. They would be located along high volume traffic corridors where the City has land use control on both sides. The only area that would qualify would be I-694. Property for such signage must be zoned appropriately, C2 General Commercial or Industrial. Setback and spacing requirements are stipulated.

Billboards must be placed within 150 feet of the highway right-of-way. The lineal distance between off-premise signs is 5,250 feet; and the lineal distance from road intersections with highway as measured from the centerline is 1,300 feet. The minimum setback from the property line is 10 feet. The minimum setback from a residential use is 500 feet. In response to the Planning Commission's concern about visual impact, a visual impact study is required prior to the issuance of a permit.

Off-premise signs can only be placed on parcels that are considered vacant and not occupied by another building or structure. Maximum area of the sign is 700 square feet per side and a maximum height of 50 feet. Exceptions can be made to this height requirement, if obstructions

are present. The standard of brightness is defined as a light level not to exceed 0.3 foot candles above ambient light condition as measured at a distance of 250 feet from the sign face.

Legal notices were published. Some language has been incorporated to address the concern of Clear Channel about the State Public Safety system.

The Planning Commission reviewed the proposed amendment and recommends approval on a 6 to 1 vote. Staff also recommends approval.

Withhart asked the maximum potential number of billboards that could be placed in the City. Ms. Nordine stated that there are two existing billboards and the potential for one more.

Mayor Martin asked how the advertising content would be controlled. Ms. Nordine answered that content would be addressed in the lease agreements with the City. The ordinance does not address content.

Wickstrom expressed concern about visual impact in the Grass Lake Open Space and the residential property on the eastern end. Ms. Nordine stated that location does not meet the requirement of placement 500 feet from a residential neighborhood. City Attorney Filla stated that expansion of non-conforming signs requires approval by the City Council.

Mr. Schwerm stated that the proposed regulations are among the more strict than some others in the metro area where dynamic (electronic) signs are allowed. The City is trying to limit potential locations.

MOTION: by Councilmember Quigley, seconded by Councilmember Withhart to adopt Ordinance #882, including an Ordinance Summary, approving the text amendment to Chapter 200 of the Municipal Code pertaining to the Off-Premise Advertising Signs based on the following findings:

1. The ordinance provides locations suitable for off-premise advertising signs but also prevents proliferation and minimizes impacts due to the proposed location standards.
2. A public benefit is achieved through public service announcements and required participation in the State's safety alert system.

ROLL CALL: Ayes: Huffman, Quigley, Wickstrom, Withhart, Martin
Nays: None

AWARD BID - 2011 MSA STREET REHABILITATION

Presentation by Public Works Director Mark Maloney

The 2011 MSA street rehabilitation is for Tanglewood between Lexington and Hodgson Connection and Victoria from Tanglewood to Highway 96. Plans and specifications were approved by the City Council in June.

Four bids were received and opened August 9, 2011. The low bidder is Northwest Asphalt, Inc. in the amount of \$1,111,501.25, which is lower than the Engineer's estimate. It is staff's recommendation to accept this base bid from Northwest Asphalt, Inc. and authorize a contract. No special assessments are associated with this project. It is estimated that the work will be completed by early October.

Wickstrom asked if the process is to recycle the asphalt in place. Mr. Maloney explained that the existing asphalt would be ground into a gravel base. Asphalt emulsion would be added to firm up the subgrade, and then the road will be capped with an asphalt overlay.

MOTION: by Councilmember Quigley, seconded by Councilmember Withhart to adopt Resolution No. 11-48, which accepts the low bid of Northwest Asphalt, Inc. for the 2011 MSA Street Rehabilitation Project, City Project 11-08, and authorizes the Mayor and City Manager to execute a construction contract in the amount of \$1,111,501.25.

Discussion:

Mr. Schwerm noted that permanent solar powered speed monitors will be added along Tanglewood Drive.

ROLL CALL: Ayes: Quigley, Wickstrom, Withhart, Huffman, Martin
Nays: None

WEED ABATEMENT - 705 EMIL AVENUE

Presentation by City Planner Kathleen Nordine

Staff is requesting the Council to order vegetative weed abatement at 705 Emil Avenue to be in effect for the remainder of this year and in 2012. City ordinance requires all properties to be kept free of noxious weeds and lawns to not exceed a height of 9 inches. The owner was notified. Today the property was mowed. The owner believes the property to be in compliance and objects to weed abatement.

Because the grass was so long, additional work is needed in some areas. The property is currently a rental property with a valid rental license. The property is also in foreclosure and is listed in the Sheriff's Sale for August 29, 2011. There have been other instances in the past. The owner was told that as long as the lawn is mowed, there is no issue. However, if for some reason abatement is needed, staff will call the owner first in an effort to resolve the problem. Staff requests a public hearing and adoption of abatement for this property.

Mayor Martin opened the public hearing at 7:40 p.m. There were no comments or questions.

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to adopt Resolution No. 11-49, pursuant to Section 210.020(A), approving the abatement of vegetative growth for the property located at 705 Emil Avenue, and to charge the property owner for the cost of the abatement, including administrative costs. The City Manager is authorized to monitor the properties throughout the 2011 and 2012 growing seasons and to abate any vegetative growth on the property that does not comply with City regulations.

ROLL CALL: Ayes: Wickstrom, Withhart, Huffman, Quigley, Martin
Nays: None

ADJOURNMENT

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to adjourn the meeting at 7:45 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 6th DAY OF SEPTEMBER 2011.

Terry C. Schwerm
City Manager